## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION

: NO. 08-0705

VS.

: CIVIL ACTION

FRANCISCO FABIAN : NO. 12-6969

## <u>ORDER</u>

**AND NOW,** this 24th day of January 2013, upon careful consideration of the defendant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (Document #103), IT IS HEREBY ORDERED that the motion is DENIED and DISMISSED in its entirety with prejudice.

The Clerk of Court is directed to mark this case CLOSED for all purposes.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.